

Averting the malignity of slander:
Treason, murder, and a conspiracy of weak and deluded men

By Matthew MacDonald

Joseph Frederick Wallet DesBarres is undoubtedly one of the most intriguing figures to have found a final earthly resting place at St. George's Round Church. One can speculate as to why his body was interred here and find endless interest in much else about his complex story.

Joseph Frederick Wallet DesBarres was an officer in the British military, as well as a political leader in two Maritime provinces in Canada, first Cape Breton and then later Prince Edward Island. This essay will trace DesBarres' life from the beginning of his military career, through his career as the Lieutenant Governor of Cape Breton, and then later Prince Edward Island. The majority of the essay will focus on the period of time between DesBarres' initial appointment at Cape Breton, up until his later appointment at Prince Edward Island.

Prior to serving in politics, Joseph DesBarres was a cartographer who contributed greatly to British military advantage during the American War of Independence by drawing maps of the Atlantic coastline of North America, all the way from Florida to the Gulph of St. Lawrence, over a period of twenty years. It was for this service, in addition to ten years of prior military service, that he was awarded the position as Lieutenant Governor of Cape Breton. DesBarres' time as Governor in Cape Breton lasted for only three years, not because of any failing on his own part, but because of murderous plots being devised by political forces in Nova Scotia, who were bent on seeing the destruction of the colony in Cape Breton. This was because certain individuals in Nova Scotia were outraged that the island had been assigned to DesBarres as a province separate from Nova Scotia. DesBarres fought diligently against these nefarious forces for as long as he was able to, but eventually these forces prevailed against him. What infuriated DesBarres more than anything else was not that he was (eventually) ousted from his position, but that the means by which his enemies accomplished this was a

series of slanders and lies to the Crown about his loyalty and competence as a servant to the Crown.

During the course of my research, I have have found that though DesBarres was eventually reconciled to the Crown, he still to this day is often portrayed in less than flattering terms. For example, the *Dictionary of Canadian Biography* entry on DesBarres states that “while DesBarres shone as a planner, he failed in human relations,” and that same entry mentions the plots being devised against the colony only once, and then only very briefly, without going into *any* detail (Morgan 4, *DesBarres*). Given that in the course of my research I have found nothing to suggest such an accusation has any ground whatsoever, and that this actually seems more like a residue of a series of false allegations that were brought against DesBarres (which the Crown eventually realized were false) tonight I want to try and let the ghost of this man speak, to tell his side of things, in the hope that this might bring some peace to the spirit of a soldier who served his country justly, loyally, fiercely, and well. Tonight, I want to honor Joseph DesBarres.

Joseph DesBarres was born in November, 1721. He died October 27th 1824, one month short of 103 years old (Morgan 1, *DesBarres*). He was an extremely energetic and vital man throughout his life, reportedly having celebrated his 100th birthday by dancing on a tabletop in Halifax (Morgan 6, *DesBarres*). It is uncertain where he was born, whether in Basel, Switzerland, or in Paris (Morgan 1, *DesBarres*), but we do know that his family was from France, and that he received his education in Basel, before attending the Royal Military Academy at Woolwich in London (Morgan 1, *DesBarres*). DesBarres tells us that after completing “a course of studies in which he had particularly applied himself to the Military Sciences” (*The Case of Colonel DesBarres* (CCD) P1 N1), he was in 1756 sent to America, where he commanded a Battalion of the Royal Regiment of Artillery. He quickly rose through the ranks, distinguishing himself at the Expedition against Louisbourg in 1758 under Lord Amherst, and was promoted to the Corps of Engineers, receiving a personal commendation from

General James Wolfe to the Crown for his strategic innovations there (CCD P1 N3). As a result of having proved himself worthy at Louisbourg, he was assigned to work alongside General Wolfe in the Seven Years War, and he reports that at the Battle of the Plains of Abraham, he was personally present and indeed making a report to General Wolfe, when “that regretted Hero received his mortal wound” (CCD P1 N5).

As the Seven Years War went on, DesBarres eventually became the primary Engineer for the Corps (CCD P2 N8). He tells us that his “exertions and conduct ... became essentially important and were attended with complete success” (CCD P2 N8). After the successful conclusion of the war for Canada, DesBarres was sent to Halifax, being ordered to “trace designs and calculate estimates of the expense of fortifying the harbour and securing the dockyard of Halifax --- a task intricate and difficult” (CCD P2 N10). Shortly after mapping out Halifax Harbor, he was given a further assignment: to map out all of the Maritime coasts and harbours, a task which all other senior officers “declined ... on account of the difficulties” (CCD P2 N14). DesBarres worked for a decade at the project, from 1764-1773 (CCD P3 N15). The work was extremely well done, with the King being “graciously pleased to express high commendation of the Performance, and His Royal commands to publish it for the benefit of the public and of posterity” (CCD P3 N17). Because of the American War of Independence that was then being waged, DesBarres was further commissioned to map out the entire coast of North America, from “Florida to the Gulph of St. Lawrence,” a project which took another decade to complete from 1774-1783 (CCD P3 N17). The maps he produced were the most accurate then available, and were published upon completion under the title of the “Atlantic Neptune,” a work which we are told “benefited commerce in millions” and on “the most critical occasions [had] been the means of saving the Fleets and Armaments of this Country” (CCD P3 N18). The Dictionary of Canadian Biography

states that “DesBarres' charts served as standard guides for navigation until the work of Henry Wolsey Bayfield and Peter Frederick Shortland well into the 19th century” (Morgan 2, *DesBarres*).

Unfortunately, while DesBarres had been promised he would be “rewarded in a manner adequate to his diligence and ability and the value of the performance, and ... promotion in his Military Profession” (CCD P3 N15), the only reward of any substance he received was a “Recommendation ... from the Board of Admiralty and from the Lord of Privy Council, for some mark of the Royal Favour, ‘In reward of his zeal, activity, and ability in prosecuting so useful a work’” (CCD P4 N21). DesBarres was devastated to see that officers inferior in rank to him, who had remained in the military corps, had been promoted above him, while he had remained stationary in his rank. In light of this, in 1784 his superior officer prior to his years of labour, General Prevost, was compelled to send a letter to the Crown, stating that “there is no doubt, but he [DesBarres] must have been a Lieutenant Colonel in the year 1775, when the late Lieutenant Colonel Fuser obtained that appointment, who was his junior in the regiment, and who, without the smallest wish or intention to disparage the one or flatter the other, was not more the inferior in rank of Mr. DesBarres” (CCD P4 N23, footnote 4). In addition to this, “the Admiralty decided that, given the high costs, parliamentary approval would be needed before payment could be made” on the expenses DesBarres had accumulated in creating the maps (Morgan 3, *DesBarres*). While the Admiralty did in 1782 report “favourably on his requests for compensation, thus vindicating his honesty and confirming the value of the *Neptune*” (Morgan 3, *DesBarres*), it was not until 1794 that the process leading to DesBarres' repayment came to an end.

In 1784, things took an (initially) positive turn for DesBarres. As a result of the American War of Independence, Loyalist fishermen and whalers in the states of Nantucket and Martha's Vineyard had been prevented from pursuing their livelihoods as a result of newly established Navigation Laws, and “had discovered a wish to repair under His Majesty's government ... in order to carry on the Whale

Fishery in the Gulph of St. Lawrence, and the seas adjacent to Cape Breton, in which before the war they had employed yearly more than four hundred vessels” (CCD P6 N28). The potential economic benefits to the relocation of this population were great, and would allow the British to attain “the advantages which France had formerly derived from the Island of Cape Breton” (CCD P6 N28) nearly 30 years ago, before the overthrow of Louisbourg in which DesBarres had first distinguished himself. Basically, the plan was to import the entire New England fishing economy to Cape Breton overnight. Consequently, in July 1784 “DesBarres had the honor of kissing His Majesty’s Hand ... on being appointed Lieutenant Governor of the Island of Cape Breton and its dependencies” (CCD P6 N29). The appointment came, most likely, partly as a “gracious favor for his labours,” making up for the lack of military promotion, as well as “the great pains it was known he had taken to be informed of the nature of that country, as well as of every circumstance respecting it” (CCD P7 N31). This is easy to understand, given that the colony was intended to be primarily a fishing economy, and DesBarres had not only personally and meticulously spent years charting the coasts of Cape Breton and the rest of the Maritimes, but also come to closely know the land itself from having served in the military conquest of the island when it was under French rule.

The beginning was rough. A man named Abraham Cuyler, a loyalist who had once been the mayor of Albany, NY, had promised to bring 3000 loyalists in from Quebec, but when he arrived, he only brought 120 (CCD P8 N37). However, DesBarres “found many had arrived from other quarters, so that the number amounted to about eight hundred” (CCD P8 N37). As well DesBarres had been ordered “by the Royal Instructions to issue Proclamations ... descriptive of the natural advantages of the Island, for the inducement of settlers,” which “brought as early as possible an accession amounting between three and four thousand people” (CCD P8 N38). In addition to the initial challenge of populating the island, Cape Breton had then been “lying near thirty years in a dismantled and desert state” (CCD P8 N39)

since French colonial rule, and was in a state of wilderness, which, coupled with the harsh winter, led to “much difficulty” (CCD P8 N39). The people who had arrived were not wealthy. So, because of the work needed to cultivate the land, the lack of resources among the people, and, the long and harsh winters they faced, DesBarres writes that “It was necessary, at least for two or three years, to furnish them with provisions, and all the aids, which Government usually allowed in similar circumstances, even in established Colonies” (CCD P8 N39). It was in respect of this need that troubles both severe and sinister would meet the unsuspecting colonists.

A letter from Lord Sydney to DesBarres, dated September 27th, 1784, stated that “The same encouragements given to His Majesty’s loyal subjects, who have retired from the United States of America into the Province of Nova Scotia, are extended to those who may choose to settle in your government” and that DesBarres would find Lord Sydney “always disposed in my department to facilitate any measure which you may represent” (CCD P8 N43 footnote 9). On August 3rd 1785, DesBarres issued an estimate to Lord Sydney of the cost of the provisions they would require (CCD P9 N50 Footnote 16), and even proposed a plan for repaying whatever the Royal Treasury should provide to the colony, to which the agent of the treasury responded by saying “his bills would be honored, and that he should continue to act as proposed” (CCD P9 N46). However, because of how long the colonists would have to wait for supplies to arrive from England, they resolved to purchase provisions in the meantime, using the credit allotted to them from the treasury (CCD P9 N47).

One of the colonists, Captain Venture, was dispatched to travel to the United States for the purpose of purchasing provisions for the colony while they awaited the arrival of provisions from England (CCD P10 N52). However on the way to New England, Venture stopped in Halifax, and writing to DesBarres in a letter dated to September 20th, 1785, he reported that he was informed by the Commissary, a man named Townsend, that “Governor Parr on his verbal application had said that he

had not received orders or instructions to send you any [provisions]” (CCD P10 N54 footnote 21). In his letter, Venture also told DesBarres “to be very attentive and alert to battle the insidious and malignant machinations of this place, for I can assure you that nothing is left to silence, nor any thing unattempted that can tend to the destruction of your government” (CCD P10 N54 footnote 21). To put it in plain speech, in Venture's opinion, the notion that Governor Parr had simply not received the instructions was simply a *lie*. DesBarres was in agreement, declaring that even if the Governor had not received such instructions, he would have been under obligation to help in any event, since the Crown had commanded that “In case of distress in any of our Plantations, you shall, upon application of the respective Governors thereof to you, assist them, with what aid the condition and safety of Our Province under your Government can spare” (CCD P10 N54 footnote 21). This was the beginning of a long, dark, and murderous chain of events, which would involve the usurpation of the civil authority of the Supreme Court in Cape Breton by the military, the overthrow of DesBarres in Cape Breton, and a persistent effort to kill off the colony in Cape Breton.

DesBarres tells us that Governor Parr had “on the earliest intelligence ... expressed his aversion to the measure of erecting Cape Breton *formerly included within the jurisdiction of his Province* into a separate Government, and himself together with some of the officers of his civil establishment, and mercantile men long accustomed to enjoy a monopoly of trade in Nova Scotia, seemed hurt at its dismemberment on an apprehension that their consequence ... and exclusive profits would be reduced” (CCD P10 N54 Footnote 21). It was because of this, that though the Crown had commanded that “In case of distress in any of Our Plantations, you shall, upon application of the respective Governors thereof to you, assist them, with what aid the condition and safety of Our Province under your government can spare” (CCD P10 N54 Footnote 21), the Governor of Nova Scotia, along with the military, and a number of wealthy businessmen, had “intercepted the supplies for [Cape Breton’s]

support ... and such was their confidence, that they predicted the Infant Colony would be broken up the very first winter” (CCD P10 N54 Footnote 21).

DesBarres writes that in the face of “the approaching severe season, which would shut them up in their distresses from all manner of aid, and even arrest their flight,” Captain Venture “hastened to Rhode Island, and there entered into Transactions for the Supply of the Colony, far beyond the limits of the Credit given to him” (CCD P10 N52). Meanwhile, in October a ship named the *President* had arrived in Halifax, carrying provisions which the Contractors onboard, Turnbull Macauley and C.T. Gregory, had written were primarily intended for Loyalists and Soldiers in “Halifax, *but we have the express commands of the Lords Commissioners of the Treasury, to forward the quantity wanted both for Louisbourg and Charlotte Town direct, of which in conformity to our orders, we have given information to Governor Parr*” (CCD P11 N57 Footnote 24) [italics added]. Upon their arrival in Louisbourg, the Deputy Commissary Townsend ordered a man named Mr. Storey, acting in his place as the Commissary, to provide DesBarres with “any public stores or provisions he may think proper ... for the use of the settlers” (CCD P11 N57 footnote 25). However, the acting Commissary “refused to deliver them, and, being called before His Majesty’s Colonial Council, confessed that Colonel Yorke ... had taken from him the key of the Store, with positive directions to issue none to the Lieutenant Governor’s orders” (CCD P11 N57 footnote 26). This turn of events had been arranged by one Major General Campbell, who had on October 21st, 1785, commanded that the provisions be issued under Colonel Yorke’s directions, “as Military Commanding Officer” (CCD P11 N57 footnote 27). So, at this point the provisions had made it to Cape Breton, but they were being kept under lock and key by the military.

The military had naturally been stationed there as security for the colony, and now under orders from General Campbell, they were preventing access to all the provisions supplied to it. It is worth

mentioning at this point, that when DesBarres had been made the Lieutenant Governor of Cape Breton he had been “invested with the command of the Troops and Garrisons to be stationed there ... [and] a warrant was directed to him, authorizing him to appoint general courts martial, for the punishment of any soldier or officer, for mutiny, desertion, or any other offense against military discipline ... and all other military concerns ... of a commander in chief” (CCD P7 N30). But DesBarres had also been warned by the Secretary at War, George Yonge, that he should be careful as to how he exercised his power over the troops who had served under General Campbell (CCD P7 N33 footnote 8). In his letter, Sir George had given DesBarres very strict guidelines as to what sort of authority he would be able to exercise over these soldiers, “in order to prevent any ill-consequences that might arise” (ibid).

DesBarres was told that if General Campbell were removed it was he who would then have the highest military authority, and that “all general orders must issue under your direction and be punctually obeyed, but ... it is not intended that you should interfere with the regimental discipline or economy of the troops” (ibid.). DesBarres characterized this somewhat convoluted situation as a “suggested... delicacy towards the feelings of an old officer” (ibid).

So, to recount: the chain of authority over distributing the provisions from England had passed: first to Governor Parr, who had then “resigned it to the military Commander” Campbell (CCD P11 N57), who had then in turn put Colonel Yorke in charge of their distribution – with a strict order not to give anything to the colonists in Cape Breton, in stark contradiction to the orders that the contractors had reported from the Lords Commissioners of the Treasury in England. Up until this point, DesBarres claims that “Whatever [he] might have been entitled to assume, he had carefully avoided all along interfering in any point of duty or business with the officer commanding the detachment of troops in his Government” (CCD P11 N57). However, now “there was a superior consideration, which did not leave him the choice of consulting his personal case, by waving it as Governor Parr had done” (CCD

P11 N57). DesBarres asserted that “To throw the subsistence of the people upon the discretion of a military detachment ... which might or might not take the trouble to discriminate properly or impartially would be committing to chance the task he had undertaken, as well as the permanency of what he had already done” (CCD P11 N57). Put plainly, DesBarres feared the actions of the military would lead to the death of the colony, an assertion he said was “warranted ... by the spirit and tendency of all the relative orders General Campbell and Colonel Yorke ... issued subsequently” (CCD P11 N57).

Everything these two did, in DesBarres’ view, confirmed his initial suspicion that there was something sinister about the initial order to withhold food from the colonists.

For the entire duration of the events concerned, General Campbell never did “so much as to inquire into” the situation of the colonists, though “a constant famine was known to rage in the infant Colony,” and, further, though he “must have observed their distress,” since he “had visited the detachment of troops in person” who were stationed in Cape Breton (CCD P11 N58). If this were not bad enough, whenever the subject was broached “by Commissary Townsend ... [concerning] their situation, he invariably disclaimed all charge of them -While the Store-rooms were sometimes insufficient to contain and preserve the provisions; and the infant Colony would have been rendered happy and contented by a distribution of the damaged quantities, which have been disposed of at public sale, or thrown away” (CCD P11-12 N59). They would not even permit the colonists rancid scraps that were being thrown out! This was more than a mismanagement of provisions. This was a food blockade!

After trying “every possible remonstrance with Colonel Yorke,” it wasn’t long before DesBarres “had reason to apprehend the violence of a famished people” (CCD P12 N60). Given how intent the military seemed on bringing about the deaths of these people, I would say DesBarres was right to doubt the wisdom of a violent course of action against the military. Violence would most likely have accomplished nothing more than to give the military an excuse to do quickly what they apparently only

felt safe doing slowly, and quietly. So, he resolved to prevent this eventuality “by *civil process*, which he hoped Colonel Yorke knew better than to offer resisting by military force, and would prove a full justification for not complying with the inapplicable orders of the General” (CCD P12 N60).

An order was given to the Provost Marshal (the Sheriff) of Cape Breton, David Taitt, to “demand and take possession of the said provisions ... [And] all His Majesty’s officers, civil and military are hereby required and commanded to be aiding and assisting to the said David Taitt, in this service as they will answer the contrary at their peril” (CCD P12 N61 footnote 30), an order which was recorded at a council in Cape Breton on November 18th, 1785. Taitt reported that Colonel Yorke refused to hand the key to the provisions over, saying if any soldier assisted the marshal, he would be given *ten thousand lashes*, and when Taitt asked Yorke whether he would oppose his own self in attempting to open the stores, Yorke said yes, “to the utmost of his power, and that he would not allow the Governor an ounce of provisions on any pretense whatever” (CCD P12 N61 footnote 31). When it was reported that the Colonel was willing to use military force against the marshal, Yorke wrote to DesBarres in a letter dated December 3rd, 1785, accusing the marshal of a “false, malicious, and wicked assertion.” This, as DesBarres noted in his response, dated December 5th, was a “high official and criminal charge” against the marshal. He enclosed a copy of the marshal’s report for Yorke to read, and noted that the report had been “fully verified by Depositions taken before His Majesty’s Chief Justice” of Cape Breton (CCD P12 N61 footnote 31). A Lieutenant William Norford, a member of the 33rd regiment under Yorke’s control, testified in a deposition before Chief Justice Richard Gibbons, that if Taitt had demanded admittance, Norford would have opposed him, and the manner in which he would have done so “would have depended on the manner in which you [Taitt] came” (CCD P13 N66 footnote 31). Norford had been under orders to not, under any circumstance, “suffer anyone to take [the provisions]

without [Yorke's] absolute orders” (CCD P13 N66 footnote 31). As far as Yorke was concerned, the provisions belonged to the military, and the military alone.

There was another ship, the Brandywine, which arrived on December 6th, 1785, with yet more provisions, 40,000 rations in total (CCD P13 N66). In a letter, the Commissary Townsend wrote that it was “my surprise... that the provisions for Cape Breton [had been] ordered for the troops only without mentioning the new settlers,” because he had previously “had no doubt but the new settlers at Cape Breton were included” among those who would have received provisions from the last ship, the *President*. Though he could not be present himself, because of “The constant employ in shipping Provisions to the numerous Outposts and the necessity of my being present whenever the victualing of the Garrison is transferred to the Agent, who is hourly expected” (CCD P13 N68 footnote 32), Townsend said he would direct his deputy, Mr. Storey, whom it was “General Campbell’s pleasure” to have remain as Townsend’s deputy commissary, to “take your order in taking charge of, and delivering any Public Stores or Provisions for the loyalists, which you may think proper to be under the Commissary’s care, and I have no doubt of his acquitting himself entirely to your satisfaction” with the provisions being brought by the Brandywine (CCD P13 N68 footnote 32). DesBarres issued a warrant ordering Colonel Yorke to assist in delivering the rations to the starving colony, which was delivered by the Provost Marshal (CCD P13 N68 footnote 33). When the marshal boarded the ship, he was told by the “Master of said Brigantine” that though he had been ordered to deliver the provisions to Colonel Yorke, his own warrant was authoritative, and he himself would deliver the provisions. However, Colonel Yorke’s men took possession of the ship, “forced away his people, opposed him, and prevented the farther execution of his duty” (CCD P14 N69).

So, to recount what has happened; the ship the *President* arrived, with orders delivered by the contractors from the Treasury that Cape Breton be provided with provisions; instead, a blockade was

set up, where even food that was being thrown out owing to the excess of stores was refused to the colonists. Desperate and unable to wait for Captain Venture, who was still sailing down to America to obtain an alternate source of provisions for the winter, DesBarres ordered the provisions from this new ship, the Brandywine, which the Commissary Townsend said should be given to the colonists, be given directly to him rather than Colonel Yorke, since as he stated in his warrant, “a sufficient quantity of provisions is already landed and stored in this Island for the subsistence of His Majesty’s troops there stationed, until the middle of July next” (CCD P13 N68 footnote 33). It was in light of the food blockade and excess of provisions for Yorke’s soldiers, that DesBarres saw fit to issue a warrant commanding that this ship’s supplies be given to the colonists, rather than to the military. However, soldiers took the ship by military force.

In response to all of this, the Chief Justice in Cape Breton, Richard Gibbons, issued a warrant demanding the arrest of all the soldiers involved for having dared to have “unlawfully, riotously and seditiously assembled, with force and arms to levy war against His Majesty, and [to] oppose the execution of His laws with force and arms” (CCD P14 N70 footnote 36). Colonel Yorke, reportedly, was quite determined to avoid the warrant, even going so far as to pretend not to be home, when the provost marshal delivering the warrant had actually seen him hiding in his bedroom through a window. Eventually, on December 11th, 1785, Yorke acknowledged the warrant's existence by writing to the marshal that the most senior soldier present the day the Brandywine had been seized, had “gone off ... he was determined to escape from the illegal, oppressive and tyrannical proceedings going on against him ... I cannot think myself justified in giving my assistance in delivering up these men, who did nothing more than obey the orders of their own Officer charged as they are with seditious and treasonable practices” (CCD P15 N72 footnote 38).

Things were getting heated. The Chief Justice of the Supreme Court in Cape Breton had been accused of illegal, tyrannical proceedings, the military had been accused of treasonous offenses, and as DesBarres noted, “Affairs were in such a serious state that it could not be expected the subjects would submit to starve without some desperate effort to prevent it, under the circumstances of the military being in possession of 15 months’ provisions” (CCD P15 N72). Eventually, Lieutenant Norford of the 33rd Regiment himself arranged a meeting between Colonel Yorke and the Governor. The result of this meeting was that 5000 rations were permitted to the starving people, provided DesBarres agreed to eventually pay them back personally. A receipt was given which promised more would come when it became necessary, and DesBarres writes that the people “appeared pacified” (CCD P16 N74). After warrants, accusations of treason from the Supreme Court, and the threat of a desperate violent uprising from a mob of starving people, and the protest of one of his own Lieutenants, the Colonel was persuaded he had best yield a small quantity of the 15 months’ worth of food he had in store, much of which had originally been meant to be distributed to the starving colonists to begin with.

Shortly after these rations were distributed, two con-men arrived with a ship filled with rations from Rhode Island. These men claimed that Captain Venture had sent them and that he would be along soon, but that in addition to paying for the rations, DesBarres would need to buy their ship from them, because Venture had taken it on credit, since English ships would not have been permitted to sail to Cape Breton from America. They had no letter from Venture. Captain Venture, as it turns out, died under mysterious circumstances, and these men had intended to take DesBarres' money and then flee with the ship and cargo (CCD P16-17). So, the colonists simply took what was on board.

These supplies lasted until February, 1786. After that, the colonists found themselves in the same situation as before; no provisions, and Colonel Yorke unwilling to provide any more than the original 5000 rations that had been distributed (CCD P18 N45), even though their agreement had stipulated that

more would be provided when it became “necessary.” The people in Cape Breton were mutinous, “and loudly talked of taking the Store by force” (CCD P19 N103). Not wanting to have the people engage in an illegal violent uprising, but realizing there were no alternatives left, DesBarres moved to act according to law, and on February 27th, 1786, by “unanimous advice of the council,” a warrant was issued ordering all military officers and civil subjects to assist in opening the store of food for the people, by force if necessary (CCD P19 N106). Prior to exercising the warrant, Yorke had received a letter from one Major Moncrieffe advising him to yield, since the attorney general David Matthews had told Moncrieffe that he had directly recommended to Yorke that he do so (CCD P19 N108 footnote 53). Yorke ignored this. Yorke also took the time to speak to another dissenting officer, Lieutenant Norford, the same officer who had intervened the last time the people had been close to rioting. He told Norford that he intended to defend the store, and kill anyone who would try to take it, *including Governor DesBarres*. Colonel Yorke was asking Norford where his loyalties would lie. Norford told Yorke that, “if the Warrant was under the Great Seal of the Island, he should not think himself justifiable in opposing it” and that “he would suffer the Civil Power to take possession of the Store,” especially since the two crown lawyers on the island (Gibbons and Matthews) agreed that this was the legal requirement (which Yorke was perfectly well aware of) (CCD P20 N111). Norford was ordered to be relieved, and sent to his room.

It was only after DesBarres ordered the opinions of Chief-Justice Gibbons and Attorney General Matthews be given formally in writing in the Island's council, that Colonel Yorke cracked (CCD P21-22 N119). It is worth noting, that the Attorney General delayed for nine days before he complied with this order by giving his formal opinion, though he had informally offered his opinion to Yorke many times before, demonstrating a suspicious reluctance on his part to openly side against Yorke (CCD P40 N182 footnote 74). Yorke conceded the legitimacy of the Supreme Court, and the issue was

taken out of DesBarres' hands and given to the Chief Justice, Richard Gibbons, who issued warrants for all the officers involved who had resisted the Provost Marshal in his duty to claim the provisions from the storehouse, including Colonel Yorke (CCD P21-23). However, after this was done, the military would regularly band together and terrorize people in the night, in groups of 18-30 men, led "by one or more officers armed with muskets, bayonets and clubs" (CCD P23)! A guard of militia was established to defend against these soldiers. The civilian militia, when defending DesBarres' house, were "frequently insulted and abused by the officers and men of these nocturnal parties" (CCD P24 N124). So, nothing seems to have changed.

The final straw came when a ship from Quebec called the *Rachael* carrying provisions for Halifax (CCD P24 N134 footnote 64) crashed into Conway Harbor by Arichat, and was locked in ice. The captain of the ship was happy to sell both the ship and what was on board to the colonists, because of how monumental the task would be to remove it from the ice. Because the colonists were desperate, in danger of dying from starvation, the council resolved on March 13th, 1786, (CCD P24 N128 footnote 62) to send over 100 willing colonists to carry out this task. They traveled 100 miles through forests covered in 6 feet of snow, a journey which DesBarres writes was replete with "perils of which no conception can be formed without adequate knowledge of that country," in order to purchase both the provisions and the ship, which they broke from the ice--an effort DesBarres says was an "inconceivable labour" (CCD P24 N126-127)--and then brought it along the coast to Louisbourg, which was a 25-mile distance from Sydney by land (reaching Louisbourg in April) (CCD P25 N142 footnote 64).

When intelligence arrived at Sydney that the ship had been brought to Louisbourg, DesBarres writes he was "mortified" to find that Colonel Yorke and the Attorney General David Matthews (who, it seems, had formed an alliance with Yorke) had given orders to seize the ship, and to prevent the colonists from keeping the food (CCD P25 N135). By the time DesBarres had discovered this, Chief

Justice Gibbons had already held a council deliberating what to do in light of this; the result of this council had been to decide to take the ship and prevent the military from seizing it (CCD P25 N136-137). However, their intentions were reported to the attorney general, who was now in partnership with Colonel Yorke, and he declared the seizure of the ship to be illegal, portraying the seizure as an attempted theft from a private merchant. A little over two weeks before this, the merchants of Cape Breton had openly described in the council how Yorke had been threatening members of the legislative council of Cape Breton, as well as other members of the community, with bands of military personnel wielding bayonets and clubs (CCD P29 N161 footnote 69). The Colonel had decided he'd had enough of the civil authority's challenges. In addition, the officers who had been imprisoned had been broken out, by force, by the military (CCD P29-30 N162 footnote 70).

In light of all this, Chief Justice Gibbons in an address to the Grand Jury of the Supreme Court on May 6th, 1786, said that “Under these circumstances I cannot think this court now sits in that state of peace, safety, and security from insult and opposition, as to enable us to proceed upon the Crown business now pending before this Court; that neither you Gentlemen of the Grand Jury, the Petit Jury, the witnesses for the Crown, and executive officers of justice, can be considered at present in such a state, as with confidence and safety to execute your several duties with that free and uninfluenced impartiality which is necessary to a due execution of the laws, until the force that has been employed to oppose the Civil power is removed, or rendered subject and submissive to its authority” (CCD P29 N162 footnote 70). In sum: the chief justice of the Supreme Court in Cape Breton had concluded the military had usurped the crown, and there was no longer any purpose in even attempting legal action from within Cape Breton.

Because of this, the Colonial Council decided that it would be best for Gibbons to travel to England with documents of all the events that had taken place to explain what had happened in Cape Breton

(CCD P28-29). Shortly after, in June, 1786, the 33rd regiment was relieved and replaced by a detachment led by one Lieutenant Colonel Charles Graham, “who (as he said) was to pursue Colonel Yorke's line of conduct and for which General Campbell had given him *Secret Orders*” (CCD P31 N166). Colonel Yorke had traveled to England, almost directly it seems, for the purpose of getting to the Crown before Gibbons did. More on this in a little while.

As soon as the 33rd regiment returned to Halifax, Lieutenant Norford, because he had told Colonel Yorke he would not stand in the way of a Supreme Court warrant, was “tried and sentenced to be cashiered” by a General Court Martial for having disobeyed orders, at General Campbell's orders (CCD P31 N169 footnote 72). However, “His Majesty's Royal Justice did not think fit to confirm the Sentence of this Court Martial” (CCD P31 N168). During the court proceedings, Lieutenant Norford repeatedly asked Colonel Yorke whether he had received a warrant demanding provisions, whether he knew the inhabitants of Cape Breton were starving, whether he had not given DesBarres a receipt for 40,000 rations and only delivered 5000. He also asked whether Yorke had intended for Norford to use lethal force against the civil authorities (including the governor) and citizens who would have attempted to attain the food, whether he recalled that the attorney general himself had personally advised Yorke he would not be justified in using forcible opposition to the Civil Magistrate, and whether he recalled that Norford had told him he had come to his decision because two Crown Lawyers in Cape Breton had told him that it would be illegal to resist the civil authority in the way being ordered. Colonel Yorke either outright refused to answer these questions, because he claimed they were “foreign to the charge,” or he claimed he could not remember. The attorney general, David Matthews, was similarly evasive in answering Norford's questions about when he had expressed his opinion concerning the illegality of opposing the civil authorities, saying these opinions were merely mentioned in “loose conversation” (CCD P32 footnote 72), although we will recall that he did eventually give an

official declaration of that opinion, along with Chief Justice Gibbons, which led to Yorke backing down (temporarily). Matthews' evasiveness was not surprising, since he had forged an alliance with Yorke.

The Court Martial found Norford to be guilty, and sentenced him to be cashiered. However, the Royal Justice Charles Gould interceded to absolve Norford and cancel his sentence, on the ground that Norford appeared to have truly believed that to have obeyed Yorke would have violated the law; however, Gould noted that “His Majesty nevertheless highly disapproves some strictures made in the course of your defense; more especially of the pointed terms in which they are conveyed, tending to impeach the propriety of Colonel Yorke ... in respect to his having brought you to trial, and attributing the same to undue motives; whereas the Officer appears to have only ... acted in conformity to express directions of his superior officer” (CCD P34 N171 footnote 72).

After the Colonial Council had decided to send Chief Justice Gibbons to England, DesBarres received a letter from Lord Sydney, who had previously told DesBarres “The same encouragements given to His Majesty's Loyal Subjects, who have retired from the United States of America into the Province of Nova Scotia, is extended to those who may settle in your Government” (CCD P43 N191 footnote 77). Lord Sydney was not pleased with the expense claims DesBarres had been accumulating (the bills from the deceased Captain Venture, more than double what had been given credit for, were particularly notable, as well as the cost of erecting military barracks – although this had only been done after Venture had realized that Governor Parr had mysteriously not heard the colonists needed food, and through General Campbell had ordered provisions expected for the colonists not to be given to them. Campbell had also been the one who ordered the barracks be built). The Examiner of Public Accounts was sent to England along with Chief Justice Gibbons, in order to explain the accumulated expenses (CCD P47 N203). However, when Governor Parr learned that Gibbons had been sent to

England to explain the events that were going on in Cape Breton to the Crown in order to defend DesBarres, Governor Parr actually “wrote to Lord Sydney, secretary of state for the Home Department, attacking Gibbons as the 'worst of characters’” (Morgan 1, *Gibbons*). In the meanwhile, with these debts mounting, DesBarres was forced to sell and mortgage his properties (CCD P47 N205).

In a letter dated September 15th, 1786, Chief Justice Gibbons reported from London that the Crown “seems determined to leave the Island to its own natural Advantage; to become populous, or not, in the ordinary Course of Events.” (CCD P48 N212 footnote 84). Gibbons imputed this disregard to originate from “the utmost Exertions of Military Interest ... employed to support Colonel Yorke and the 33rd Regiment, and to injure you and the Civil Power of Cape Breton” (CCD P48 N213 footnote 87). In other words, Colonel Yorke and friends were trying to save their skins from revelations of their treasonous activities to the Crown, by stirring up trouble for DesBarres through allegations of misconduct and mismanagement of his office.

By the time Gibbons was able to meet with Lord Sydney, Colonel Yorke and friends had already had ample time to present their own narrative of events. Gibbons reported that the visit mostly consisted of “many Questions ... seemingly pointed to prove a Misconduct to Lieutenant DesBarres, and the Civil Department in Cape Breton,” and “his Lordship appeared to be astonished at the relation of the Transactions and to conceive them to be incredible” (CCD P48 N216 footnote 88). Lord Sydney asked Gibbons what could possibly have motivated Yorke to oppose the Civil Authority as he claimed. Gibbons said that while it was “difficult, perhaps impossible ... to explain the secret motives that might have actuated Colonel Yorke ... it was well known at Halifax, and I knew myself, that before DesBarres came out ... a party in that province possessing influence on Governor Parr were exerting themselves to prevent the Plan of Government and Settlement of the Island being successful, and I was frequently told, by persons from Governor Parr's house and table, and by Mr. Matthews himself (one of

them) that the Civil Establishment would be struck off ... that Colonel Yorke was extremely intimate at Governor Parr's house, and might easily be influenced by his prejudices and wishes – that his whole conduct, after coming to Sydney, accorded with being under such an influence” (CCD P49 N210 footnote 88).

Yorke and friends' influence was strong enough that it was decided in England that DesBarres would have to be called to that country in order to give an account for himself. Gibbons, hearing this, advised his friend to go as soon as he was able, notwithstanding the uncertainty about who would govern in DesBarres' absence (CCD P49 N212 footnote 90). Though Sydney refused to give an actual list of the complaints levied against DesBarres, in a letter he received on July 19th, 1787, dated November 30th, 1786, it was implicitly revealed that some of the charges against him were that he was lying about the people being starved, that he had incurred unnecessary expenses under this pretense, and that he was promoting mischievous lies which would “encourage a disunion of affections between ... subjects residing on the island of Cape Breton and those in the province of Nova Scotia” (CCD P50 footnote 95). The letter also informed him that he would have to return to England to explain his conduct. It was accompanied by another letter dated April 5th, 1787, letting him know Lieutenant Colonel Macarmick would be the Lieutenant Governor in his absence (CCD P51 N231). This was a blow to DesBarres, given how far into debt he had already sunk, in struggling to provide for the colony without assistance from the Crown (CCD P50 N224). His agent Mr. Roberts, operating from England, also wrote to inform him that his creditors there were likely to be “troublesome” to him when he arrived, especially since the Treasury did not seem likely to cover DesBarres' expenses (CCD P50 N226 footnote 94).

Because of the creditors whom Mr. Roberts had warned DesBarres of, when he landed in England he chose to land in secret. Lord Sydney had refused to offer DesBarres the protection he had requested, informing him he had no doubt the creditors would “grant you every reasonable Indulgence upon

explaining to them the Occasion of your requesting it” (CCD P52 N241 footnote 99). He arrived December 7th, and only reached Whitehall on April 16th, 1788. At the age of 66, he had spent three months traveling in secret through the English countryside, in order to evade injury or assassination, hardship which the government appeared completely indifferent to. An excellent way to treat a decorated war veteran, the greatest cartographer of the age, and governor of one of their colonies, purely on hearsay evidence!

When DesBarres arrived, he found that he was subject to a “Stigma of ... vague imputations and complaints, for which he was conscious there existed no Ground whatever and of the particulars of which (however) he could not obtain any Official Knowledge” (CCD P54 N250). He knew people had lodged complaints, but what the specifics of these were, nobody was (officially) telling him! Apparently, one of the complainants, “Mr. Hurd,” had been circulating a list of complaints for two years without his knowledge or the knowledge of Justice Gibbons, a list which he was told by the Under Secretary of State “might only be a copy, which Mr. Hurd had from Colonel Yorke” (CCD P54 N251). Meanwhile, DesBarres' properties in Nova Scotia were being seized by creditors who had tired of waiting for the government to reimburse him (CCD P56 N262). DesBarres demanded Hurd be detained and questioned, and on March 22nd, 1789, Hurd confessed under questioning that “he could not support any of the charges therein.” DesBarres also pointed out that there were forged signatures on the document that contained the complaint, including one from an individual who “then happened to be in London and had declared that he would have his Hand cut off, rather than put it to such an abominable Piece of Paper, and proposed to bring him before Lord Sydney; but his Lordship declined to see him” (CCD P56 N264).

Meanwhile, the situation in Cape Breton was deteriorating at an accelerated rate. One of the settlers wrote to Lord Sydney, reporting that it appeared the newly appointed Lieutenant Governor Macarmick

had entered into a partnership with Colonel Yorke's replacement, Colonel Graham, as well as the Attorney General Dave Matthews, and Cuyler and Lovel--essentially, all the people who had been part of the conspiracy to remove DesBarres. One outcome of this alliance, according to this settler, was that Chief Justice Gibbons had been suspended and removed from the Island's council (CCD P58 footnote 119). This apparently came about because Gibbons had attempted to organize a militia to resist "any possible tyranny of Macarmick, Matthews, or Cuyler" (Morgan 2, *Gibbons*). Some possible reasons Gibbons may have attempted this, are as follows: Macarmick upon arriving appropriated DesBarres' lands on the island for himself, and distributed them to the partners in his alliance. He also charged people for charters to land they had already been living on for four years and been issued grants for, forcing them to either pay these unexpected fees, or to forfeit their rights to their lands which had previously been allotted to them for free (CCD P58 footnote 119). Those who chose to ignore this had their livestock slaughtered in the night (CCD P59 footnote 119). Colonel Graham was perfectly open to submitting for prosecution any soldiers suspected of such actions, but advised people to be "very careful of the consequences of false imprisonment," and noted that the commanding officer could not "be answerable to what lengths an exasperated soldier might proceed in their resentments, should any attempt be made to entail unmerited reproach and scandal upon a regiment" (CCD P60 footnote 119).

Additionally, it is reported that "On a slight rumor of a French War, this counselor strenuously recommended and advised that martial law should be immediately proclaimed in Sydney, which had very nearly taken effect. The principal motive, of which he had the indiscretion to make too public, was, that he would have a fair opportunity of chastising those who had insulted his friend Colonel Yorke, with the bayonets of the 42nd regiment" (CCD P59 footnote 119). Chief Justice Gibbons, prior to his suspension, had intervened to prevent this from happening. After his suspension, Gibbons traveled to Quebec, Halifax, and London to justify his actions, and after "three years he was reinstated

in March 1791 because of his generally good character. He did not, however, attempt to return to Cape Breton for another three years, and on the voyage Gibbons, his wife, and their son were captured and imprisoned in France... [He] died on August 3rd 1794” (Morgan 2, *Gibbons*).

As well, one of the colonists, Captain Gravois, was dismissed from his station, and his applications to land grants were denied on the basis of his being a “French papist, and, as such, not eligible to the benefits of a British subject,” though he had at that point served the British government for over 30 years. Gravois was forced to leave and seek refuge with the French, which, the reporting settler notes, would put his “abilities in the service of an enemy [which would] be very dangerous to our possessions” (CCD P59 footnote 119). Coincidentally, Gravois had been “appointed by Governor DesBarres (a sufficient cause of jealousy and dismissal” (CCD P59 footnote 119). The military was also granted large tracts of valuable land.

The astonishing thing about all of this is that it appeared to DesBarres, and the colonists, and the acting provost marshal, and the chief-justice who replaced Gibbons, that Macarmick *had actually resolved to destroy the colony he had been appointed to lead*. That is to say, it seems like the outsider, Macarmick, was brought into the conspiracy to destroy the colony! Why this happened, I think we can speculate. Since Macarmick was appropriating valuable lands for himself, his friends, and the military, as well as making funds meant for the upkeep of the island mysteriously disappear, my guess would be that his plan was to make a short-term profit by appropriating these funds, and to profit long-term when the island was eventually re-annexed to Nova Scotia by having a stake in valuable lands that had already been cultivated by others. Some evidence of this (provided by the acting provost marshal at the time) was that, in addition to alienating or expelling so many of the occupants who had been there to begin with, Macarmick also refused to allow outsiders to purchase or even examine lands in Cape Breton (CCD P61 N282 footnote 119). He also withdrew 800 pounds to repair a building that should

have cost only 100, drew 400 pounds for surveys that were never done (relying instead on those already completed by DesBarres), and drew 700 pounds worth of provisions for “expense of convicts” which were not issued, with the convicts having been “turned loose and ... gone off” (CCD P61 N282 footnote 119). Another sign of the impending planned doom of the colony, was that the Attorney General on June 6th, 1789, told the provost marshal that Macarmick had funneled money meant to pay off expenses on the island into buying livestock in *Boston* (CCD P61 N 282 footnote 119). As well, a man named Dr. William Smith, who had been appointed the chief-justice after Gibbons had been suspended, writes that Macarmick and his allies were “Kings de facto,” and would soon be “kings without subjects,” and that he hardly interacted with them because his “unreserved manner of speaking would render it now too dangerous to spend an idle hour in their company” (CCD P61 N283 footnote 119). In this new Chief Justice's opinion, “if His Majesty knew the character of one person who fills a sacred office here, he would instantly remove so baneful a character” (CCD P61 N283 footnote 119). And, something like this might indeed have actually happened.

The most frustrating thing that DesBarres encountered in England, aside from the slanderous accusations that had been made against him by his enemies to every significant figure in England, was the bureaucracy he had to navigate for years just to be able to formally address these complaints. He writes that he “incessantly urged his Right to be furnished with Official Copies of, and to be tried upon, the Accusations, alleged by the Secretary of State in his Dispatch of the 30th November 1789, to have been received against him, for the specific purpose of explaining the Transactions which had taken place, and justifying his Conduct as Lieutenant Governor of Cape Breton, His Majesty had thought fit that he should come to England” (CCD P66 N301). However, it was certainly the slanderous nature of these accusations which were his highest concern, far exceeding the importance of the financial battles he was engaged in, as is clear from a letter he wrote to the Lords Commissioners of the Treasury dated

December 16th, 1793, where he told them that he was fighting for “an object of infinitely greater consideration than all the money on Earth – the vindication of a character, acquired by long and active service to my King and Country, honoured with my Sovereign's gracious approbation. This character, I must and shall vindicate, if the task should extend to all the days of my life.” (CCD P77 N336 footnote 152). It is important to remember, that by now DesBarres was 72 years old. Though he still had 31 years left to live, he obviously could not know this. More than money, this was a fight for his honour and his legacy.

DesBarres ended the document stating his case with a rhetorical flourish that I want to quote in full, because it is such an impassioned statement, and more than anything else said, I believe really captures the spirit of the man, and the fight he found himself engaged in. He writes:

After more than Forty Years arduous service, with the Approbation of the highest Characters Naval and Military of the Age, confirmed by the Sanction of his Sovereign, if DesBarres had not been able to avert the Malignity of Slander, he was at least entitled to the Justice of an Hearing, previously to being sacrificed to the Conspiracy of weak and deluded Men. He has incessantly demanded in vain a Trial to vindicate his Honour to the World. Thus precluded from public Investigation, and unable longer to sustain the Anguish of an Idea of Delinquency in the Service of a Country he had preferred in the earliest Period of Life, and which had adopted him with characteristic Generosity, he has no Resource but to state his Case, and respectfully to submit it, for being judged upon and dealt with according to its Merits. (CCD P90)

In 1794, after 7 years of fighting, DesBarres' claims were settled in his favour, and he was paid half the salary he would have made had he remained the Lieutenant Governor in Cape Breton (Morgan 5, *DesBarres*). He had won. But Cape Breton was not returned to him. He stayed in England ten more years, asking one question: now that you've decided I'm innocent, *where is my colony?* In 1804, at the age of 82, he was appointed to be the governor of Prince Edward Island (Morgan 5, *DesBarres*), a post he held until 1812, after which he lived in Nova Scotia, moving to Halifax in 1817 (Morgan 6,

DesBarres). He reportedly was observed dancing on a tabletop on his 100th birthday, and died at 103, and was then buried at St. George's Round Church (Morgan 6, *DesBarres*). But why St. George's?

DesBarres did not mention in his will that he wanted to be buried at St. George's. Nor was the congregation very keen on having him buried there, because it was actually ordered, for reasons I do not know, by the Bishop that he buried there (and the congregation at St. George's had had a long and hostile relationship with the diocese there). But buried there he was. Why? I would like to now take this opportunity to don my tinfoil hat, and speculate wildly. In 1794, Prince Edward, Duke of Kent, was sent to Halifax, as the commander of the forces (MacNutt 2, *Edward Augustus*). Coincidentally, this was the year in which the Crown decided DesBarres had not actually been such a bad governor, which probably meant they also realized all those far fetched stories he had been telling about the military and the Nova Scotian government plotting to kill off one of their colonies, were not so far fetched. Is it possible that, rather than going through all the trouble of leading an investigation into and replacing large swathes of the military and government, the Crown may have thought it simply more convenient to stick a royal in town? It is, in my own humble opinion, unlikely that any of the troubles DesBarres had with the military committing treason and disregarding the authority of the Supreme Court would have occurred had the son of the King been a hop and a skip next door in Halifax. Remember what the Chief Justice who replaced Gibbons had written? “if His Majesty knew the character of one person who fills a sacred office here, he would instantly remove so baneful a character.” Maybe something like this really happened! Prince Edward was the one who commissioned this church. DesBarres was eventually given Prince Edward Island. Maybe, just maybe, the Bishop had ordered that DesBarres be buried at St. George's *due to some connection to Prince Edward*. Perhaps he was buried here as a token of respect and appreciation for his unflinching loyalty as a servant to the Crown.

As for what ended up happening in Cape Breton – after the coal mines stopped being profitable, Macarmick left Cape Breton and returned to England, dying in 1815. He never ceased being the official Lieutenant Governor until his death (Morgan 2, *Macarmick*), but David Mathews governed in his absence for a few years. However, his governing style was intolerable. He appointed his own sons as the provost marshal and attorney general, gave government positions to his debtors, and appointed a personal “crony” to be the Chief Justice (Morgan, *Mathews*). Eventually, Prince Edward ordered that Mathews be replaced by a man who had served him for four years at that point, Major General Ogilvie (Morgan, *Ogilvie*). Upon arriving in 1798, Ogilvie ordered an investigation into what was causing so much inner conflict in the colony, and concluded that Mathews was at the heart of it, though he could not prove any criminal activity (Morgan, *Ogilvie*). Ogilvie got out of Cape Breton as quickly as he could, and was replaced in 1799 by a man named John Murray, who was not liked by Prince Edward. It seems he had made some disparaging remarks about Edward's mistress, saying that the Prince's father would not appreciate that he had taken her with him to Canada (Morgan, *Murray*). As well, Murray did not get along with Mathews, with Mathews and friends eventually being fired from their positions in the colony. During his short time in Cape Breton, however, Murray made many improvements to the colony's infrastructure, and expanded the coal mines. But, capitalizing on Prince Edward's personal dislike of Murray, Mathews and his allies complained about Murray's incompetency until he was replaced by Major General John Despard in 1800 (Morgan, *Murray*). Despard's time in office brought a measure of prosperity to Cape Breton, mainly due to an illegal rum tax he imposed. However, this measure was opposed by none other than Richard Collier Bernard DesBarres Marshal Gibbons, the son of Richard Gibbons, who wanted an assembly to be called so as to legalize tax collection (Morgan, *Despard*). Eventually, when Gibbons started gaining allies, Despard left Cape Breton, motivated by a number of other reasons as well, personal health apparently playing a role in the decision.

A few administrators would go by, one of whom fired Gibbons from his role as attorney general, before George Ainslie was appointed as Cape Breton's final administrator. Ainslie had been given the post as punishment for having committed reprehensible offenses during his previous position as governor of Dominicana, where he had brutally executed people publicly as a way of putting down a maroon uprising. When Ainsley arrived, he was met by a strong movement led by Gibbons to call a house of assembly, in order to institute legal taxation and government in Cape Breton. Ainslie apparently thought Cape Breton was too illiterate and uneducated to do anything of the sort. The Crown, believing this to be the case, and realizing that the government in Cape Breton was indeed effectively illegal without a house of assembly, re-annexed Cape Breton to Nova Scotia in 1820 (Morgan, *Ainslie*), something the conspirators against DesBarres had tried to accomplish 36 years before. Gibbons spent the next 26 years leading an unsuccessful movement for the independence of Cape Breton (Morgan *Gibbons*).

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